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Chair

Mr. Tom Lukiwski

Standing Committee on Government Operations and Estimates

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● (1100)

[*English*]

The Chair (Mr. Tom Lukiwski (Moose Jaw—Lake Centre—Lanigan, CPC)): Colleagues, we will suspend until the votes are completed.

See you all back here around 11:45.

● _____ (Pause) _____ ●

● (1150)

The Chair: Colleagues, I think we will reconvene now that we have everyone at the table. We have a bit of a truncated meeting today because of the votes. However, we will see where this goes.

As we left the last meeting, if you recall we were discussing and debating Mr. Blaikie's motion. I still have a couple of individuals on my speakers list from the last meeting. If there are any additional participants who want to join in the debate, they can certainly do so. I will put those names on the list as well.

I have Mr. Peterson to start off with.

Mr. Kyle Peterson (Newmarket—Aurora, Lib.): I'm on the top of the list.

The Chair: You're the first one on my list.

If you wish, Mr. Peterson, I can read the motion into the record again.

Mr. Kyle Peterson: If we haven't done that, please do so, Mr. Chair.

The Chair: The motion is as follows:

> That, notwithstanding motions adopted by the Committee regarding the subject matter of meetings to be held before a stated date, the Committee use the remaining meetings before Tuesday, June 5, 2018, for the study of the Estimates Process and reserve its meetings on Tuesday, June 5, 2018, and Thursday, June 7, 2018, for consideration of votes referred to the Committee upon the tabling of the Main Estimates 2018-19.

That is the motion. We are in debate.

Mr. Peterson, I have you at the top of the list.

Mr. Kyle Peterson: Thank you, Mr. Chair.

I'm going to point out a letter that was provided to Mr. Blaikie on April 25 from the President of the Treasury Board.

Mr. Blaikie, I'm sure you're familiar with the letter. I'm not going to necessarily read it into the record, but I think it clarifies or addresses some of the arguments that Mr. Blaikie has been making both here in the committee and in the House on this issue. To my mind, and I'm sure Mr. Blaikie may disagree, his quarrel and concerns with the new process are adequately addressed in this letter.

With that in mind, Mr. Chair, I'm going to move that the debate be now adjourned.

The Chair: The motion is in order and that requires an immediate vote with no debate.

● (1155)

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): I have a point of order.

The Chair: Certainly.

Mr. Daniel Blaikie: We heard from the Speaker in the House, both on Friday and today, that the appropriate place for debate on these issues is at committee. He was very clear about that. It's hard to debate these matters at committee as per the direction of the Speaker, if the Liberals on the committee are simply going to adjourn debate.

The Chair: As much as I may have sympathy for you, Mr. Blaikie, the motion proposed by Mr. Peterson is in order and procedurally demands for an immediate vote without debate. That's where we will have to go from a procedural standpoint.

Mr. Daniel Blaikie: Can we get a recorded vote?

The Chair: It shall be recorded.

(Motion agreed to: yeas 5; nays 3)

The Chair: Mr. Blaikie.

Mr. Daniel Blaikie: Thank you very much, Mr. Chair.

While we're under committee business, I would like to move a second motion, for which I had served notice not that long ago. I move:

> That the Committee invite each Minister responsible for the departments and agencies listed in the table on pages A1-2 through A1-8 of the Main Estimates 2018-19 titled "Budget 2018: Details of Spending Measures and Proposed Departmental Allocations" to provide a briefing as well as answer questions regarding the associated initiatives, and that the meetings be held no later than Wednesday, June 6, 2018.

I'm happy to motivate that at the earliest possible opportunity.

The Chair: Thank you.

I'm assembling a speakers list, Mr. Blaikie. I want to make sure that all members have copies of the motion in front of them before we engage in debate.

Mr. Blaikie.

Mr. Daniel Blaikie: Thank you very much, Mr. Chair.

The importance of this motion, I think, can't be overstated, in that what the government has chosen to do under Treasury Board vote 40 is unprecedented. In fact, it says—I think it's on page 6 of part I of the main estimates—that this is a new vote. It's a new way of doing things. It stands to reason, Mr. Chair, that in order to properly study these estimates, we may have to do things that aren't normally done.

One of the things we have to do that isn't normally done, as a result of this mechanism, which wasn't chosen by me to be difficult.... It was chosen by the government. I think it may even be that the government chose it in good faith, trying to do something genuinely new. I would say that, as a rule, it makes more sense when you're changing some of the fundamental practices of the House to do that in consultation with the opposition parties. I know this was not done in consultation with the opposition parties. I think that's lamentable.

We might have been able to find a way for the government to achieve its goal of better aligning the budget document with the main estimates documents and the public accounts documents that actually coheres to existing parliamentary practice. That wasn't the road the government chose to go down, however, so opposition politicians are in the position of having to use what occasions they have to provide their feedback on the record. You'll know that I've been attempting to do that in various ways.

One of the things this new Treasury Board central vote requires, in my opinion, is that the committee that's studying that new central vote—because that central vote includes over 200 budget initiatives worth over $7 billion of taxpayers' money across all departments and agencies of government, or nearly all, certainly many of them.... What that requires is that the committee studying that vote.... It's too bad that this may be the case. Members may not like it, but it's the truth. If the committee is going to do its due diligence and actually ask questions of the departments about these new initiatives.....

Those initiatives aren't in their departmental plans. That means that the subject expert committees that have the main votes and the main estimates for those departments can't really ask questions about those votes. It could be at a committee that those questions would be ruled out of order. Even if they aren't, we've seen even at this committee that in many cases departments say.... We had public works say very clearly at this committee, "Those aren't in our estimates. We can't answer those questions."

Who can answer those questions? We don't know, but we have an obligation to find out and to seek those answers. Until we hear from the various ministers who represent all the departments and agencies that are included in that vote, we can't very well say that we've done our due diligence. I think it follows very clearly from this that we would have to hear from those ministers.

A quite related and important point, Mr. Chair, that I may yet have occasion to make in the House but haven't yet had an opportunity to make is that I think there's a real problem here—and this motion speaks directly to this problem—of undermining the normal committee study process. Normally, it's the subject expert committees that would examine the votes for a particular estimate. In addition to not being in their proper form, I think there are some issues with that with respect to the main estimates because of vote 40. This normal process for studying the estimates at committee is frustrated.

I would point to the *House of Commons Procedure and Practice*, third edition, which is very clear. On page 1013, it states, "When the estimates are tabled in the House, each standing committee receives an order of reference for those departmental and agency votes which relate to its mandate." However, by including all of the government's new budget initiatives under one Treasury Board vote, the government has disrupted the normal process by which votes are referred to the appropriate subject expert committee. This is why it's pertinent to be calling all of these ministers, and it's why I'm speaking very directly to the content of the motion right now.

Instead, the 247 new spending initiatives contemplated in the budget and proposed in the estimates by way of vote 40 are referred to one committee, the Standing Committee on Government Operations and Estimates, which is then expected to study and evaluate the new initiatives for every department, initiatives as disparate as strengthening the Canada Border Services Agency, securing market access for Canada's agriculture and agri-food products, indigenous sport, Canada's co-chairmanship of the G20 framework working group, and hundreds more. Asking a single committee with no subject area expertise to examine all of these items would be an unrealistic expectation in the best of circumstances.

● (1200)

I would remind you that the House and its committees have even less time to study the estimates this year than we had last year or any other year before it. Last year the Standing Orders were changed to allow for the tabling of the main estimates to occur as late as April 16 rather than the usual March 1 deadline. The putative reason for reducing the time for studying the estimates was that it would give more time to government to approve new budget items through Treasury Board and include them in the main estimates.

However, as I argued earlier, we're now in a position where the estimates contain less information about proposed new government spending and that's because these things aren't in the departmental plan, as I mentioned.

Substituting promises of post facto reporting for offering information up front where that information would once have come through the supplementary estimates process concurrently with the request for spending authority, the government this year is asking for the authority up front. It's important that the study of the estimates at committee not be undermined by either a lack of information on projected spending, normally included in the estimates, or the estimates being constructed in such a way as to exclude new initiatives from the scope of study of the appropriate committee, for instance, by placing the new initiative for a given department in a vote for a different minister. It has long been recognized that the supply process allows for very little discussion and debate outside of committee studies. That's why it's important that you have a robust study at committee and be able to call any of the ministers needed in order to examine the appropriate votes. For example, I would refer you to Speaker Jerome, who said, on December 7, 1977:

> I think all honourable Members understand that the supply process is confined in its method of debate and exposure to the House in that it is put forward by way of an estimate which is examined by the committees of the House, and, at the end of that process when the estimate is deemed to be reported or in fact reported back to the House, it is dealt with rather quickly by way of a supply bill on the final supply day of the particular semester in which the estimate was originally advanced.
>
> This is a process which has long been adhered to by the House which provides for an examination of the estimates in rather great detail—

That's only if government members don't adjourn the debate.

> —but does not provide for extensive debate between the various states of the supply bill.

Earlier in that year, on March 22, Speaker Jerome quoted his predecessor, who described the supply process similarly saying, "opportunity is undoubtedly limited" and "under the old rules there was unlimited time to consider supplementary estimates, including items intended to amend statutes."

Under the new rules, there may be only a limited time to consider supplementary estimates. In *House of Commons Procedure and Practice*, we read, similarly, on page 885, that, "Although theoretically a supply bill is debatable and therefore amendable at all stages after first reading, it generally passes without debate or amendment on the last allotted day." Further it states:

> It is at the Committee of the Whole stage that a Member of the opposition usually seeks assurance from the President of the Treasury Board that the supply bill is in its usual form. Bills reported from a Committee of the Whole are immediately considered at report stage and disposed of without debate or amendment. Once the bill has been read the third time, it is forwarded to the Senate.

Very clearly, there isn't a lot of time in the House to be able to debate or examine these things. The committee of the whole isn't going to call all these ministers to ask them questions about vote 40. That's a job that clearly has to be done at this committee. Given the limited time dedicated in the House to dealing with the estimates and the corresponding appropriation act, it's important that the proper study of the estimates at committee not be frustrated by adjourning debate, for instance.

By blocking spending requests for virtually all the new budget initiatives from going to the appropriate committee, as well as by excluding information from part III of the estimates that would otherwise have been included there, or in a subsequent supplementary estimate, the proposed Treasury Board vote 40 does, in fact, frustrate the proper study of the estimates at committee. The only way that can be rectified is by committees taking it unto themselves to ensure that there's a better process despite the efforts of the government to curtail that process.

Further to that, this mechanism for granting spending authority for new budget initiatives also violates the House's right to conduct its business efficiently. This is a well-established right of the House. Consider these excerpts from the *House of Commons Procedure and Practice*. One is "The duties of the Speaker of the House of Commons require the balancing of the rights and interests of the majority and minority in the House to ensure that public business is transacted efficiently". That's on page 317.

I refer you also to this quote: "The rules of relevance and repetition are intertwined and mutually reinforcing." Then there's, "To neglect either rule would seriously impair the ability of the House to manage its time efficiently. This is on page 625.

On page 627, it says it's important "to safeguard the right of the House to arrive at a decision and to make efficient use of its time."

● (1205)

Indeed, the very rationale for committee work is that:

> A deliberative assembly derives a number of advantages from the use of parliamentary committees. It is more efficient to perform in small groups work that would otherwise be difficult to accomplish in an assembly of more than 330 members.

That's on page 954.

Another quote, from page 1074, tells us:

> After deciding on the studies to be undertaken, a committee should agree on a work plan for conducting the studies as efficiently as possible.

That was the motion I was trying to put earlier, which was just adjourned, to have a work plan to study these main estimates appropriately before they're deemed referred back to the House.

Normally, the new budget initiatives proposed by the government would either be included in the main departmental estimates or more likely appear as supplementary estimates in the same supply period, and they would appear under their respective departments. In that way they would be referred to the appropriate committee, and the appropriate minister and/or departmental officials could be called to that committee to answer questions with respect to those initiatives.

Instead, we're now in a position in which the main departmental estimates are spread out across multiple committees, to the normal subject expert committee that would usually deal with a particular department's estimates as well as the Standing Committee on Government Operations and Estimates, because all of the new departmental initiatives have come here instead of the appropriate committee.

It's important to call these ministers here in order to have that study. No doubt these ministers have also been called to their regular committee as part of the study on their main departmental estimates, of which the vote 40 items really should be a part; or they should appear later in the supplementary estimates, so that those ministers could speak to them at the appropriate committee.

It may well be that one or the other committee, either we or they, will be stood up by a particular minister. It may even be that government members don't want to hear from the various ministers concerning vote 40. I don't know, but I know that we're about to find out. It could be that either that committee or this committee is stood up by ministers, not all of whom accept every invitation to appear at committee, the President of the Treasury Board's protestations notwithstanding.

It could be, then, that somebody is going to be stood up, and that means that the proper study isn't going to take place. It means that certain members won't be able to ask questions of ministers on initiatives that by right ought to be included in their departmental estimates but aren't necessarily. By this weird procedural trick, we're going to end up in a position in which we can only ask questions of the President of the Treasury Board about climate change and environmental initiatives.

Incidentally, our moment has passed. I enjoyed my 10 minutes for serious scrutiny of the more than $7 billion that's being requested under that single vote alone, but unfortunately 10 minutes goes by pretty quickly when you have more than 200 items to study.

If one of us is going to be stood up, either the main committee or us, because ministers aren't accustomed to appearing before more than one committee for their main departmental estimates—because normally, their new budget initiatives are actually included in their departmental estimates.... Go figure. It's not exactly as though this is crazy talk or something. This is the way it's been done since Confederation. If members want to listen, we can say it's actually the way it has been done since 1968. Prior to that there was a very different supply process. The House would actually consider estimates in a committee of the whole, and you had opportunities to move amendments to the appropriation bill.

Actually, in this case it's lamentable that we don't have that kind of process, because clearly amendments are warranted for the appropriation bill that is going to come out of these main estimates. The wording of vote 40 has created this terrible situation whereby we're undermining the normal committee study process and we are —I think rightly, in the circumstances—considering calling virtually every minister of the crown to appear before this committee for the purposes of the main estimates, when by right they ought to be appearing before their normal committee.

I'm sure they will be doing so, but if the answers those committees are going to get on vote 40 initiatives are anything like the answers this committee has gotten on vote 40 initiatives from ministers with respect to initiatives in the budget for vote 40, I have to say it's going to be a pretty sad state of affairs.

We need to be able to see all these ministers to get to the bottom of the question of who in government actually has an answer to the question of what anybody's going to do with this money. We've heard very clearly from senior officials in Public Works in response to the member for Esquimalt—Saanich—Sooke, who was here asking questions about approximately $1 billion in initiatives under table A2.11 of the budget—read "vote 40" or the "budget implementation vote", or whatever term you want to use for that.

● (1210)

They said very clearly that they couldn't answer that because it wasn't in their estimates. If they can't answer it, are we supposed to believe that the President of the Treasury Board has better insight into the programs under development in the Department of Public Works than the Minister of Public Works or her deputy minister?

It's kind of far-fetched, and even if each minister did appear before two committees, it would be hard to argue that having a process that requires that as a matter of course is consistent with the House conducting its business efficiently. One would think that if one was concerned with efficiency, one would have a process, as we have had from 1968 until 2018, where ministers go to one appropriate committee to answer questions about their departmental estimate.

Now we're being asked to have them appear before two committees. As I say, they ought to come to the two committees because it makes sense, given the mechanism that the government has contrived. I've been very frustrated, because I've been trying to have this conversation. There was some disruption in the House on Friday as I tried to have this conversation on a point of order, but that wasn't the first recourse.

Incidentally, I do think, and I hope to have the occasion to argue in the House and that may come soon, that there are ways in which vote 40 simply is not compliant with the procedures and practice of the House of Commons. The Speaker would be well within his right to strike that vote from the estimates, given some of the arguments I hope to make in the House in the very near future.

That said, in the meantime, committees are stuck dealing with this and we're in the unfortunate situation of having to call ministers to multiple committees. However, when the minister comes here and we're asking questions about all the new budget initiatives, this isn't just a couple of eccentric programs or something that has some cross-governmental property, this is all the things that the government has said are so important for the next year, that collectively add up to over seven billion dollars' worth of money. They printed a document of some 300 pages extolling the virtues of this new programming and talking about how wonderful the new programming is because it meets all the needs of Canadians, or certainly most of them, according to the government anyway.

It isn't just some miscellany, or something such as that. We're not the subject experts for that. We're not the subject experts on indigenous affairs. We're not the subject experts on initiatives within the Department of Health. We're not the subject experts on programs under the Ministry of the Environment.

Even if the ministers did come, we're already at a point where the process is deficient, because at that point the House is no longer asking those members who actually have the requisite expertise to do the investigation. That includes committee analysts and clerks, who also have a subject area expertise after working on a committee for a while and are therefore well positioned to provide better advice to the parliamentarians who sit on those committees when the estimates are before that committee.

We see that in the excellent briefing documents we get from our analyst. That doesn't come from nowhere. That comes from experience with the subject matter, hard work and research, and accumulated knowledge over time. To me, to deny parliamentarians that resource in order to have an omnibus approval of funding for all the new budget initiatives seems to be another way in which this vote undermines the normal study process in a committee.

Just to come back to the main point I was making, I'm sure members have followed the thread through all of that, because it was very clear the entire time and I see nods from some of my colleagues around the table, affirmative nods. It's really not efficient. It's difficult to maintain that having one committee, our committee, without the appropriate subject expertise, study all the new budget initiatives is an efficient method of conducting House business. That's really a main part of what's at issue here.

We've heard from a number of departments, but we certainly haven't heard from all of them. Certainly the motion as worded would provide for some flexibility. I'll just read the motion again so that people can follow along in my remarks.

● (1215)

It states:

> That the Committee invite each Minister responsible for the departments and agencies listed in the table on pages A1-2 through A1-8 of the Main Estimates 2018-19 titled "Budget 2018: Details of Spending Measures and Proposed Departmental Allocations" to provide a briefing as well as answer questions regarding the associated initiatives, and that the meetings be held no later than Wednesday....

I think you could argue with respect to the President of the Treasury Board, who has come to committee, that we did ask the President of the Treasury Board a number of questions with respect to vote 40. That made sense. Obviously that was within his departmental estimate, but even within vote 40, there were certain initiatives specifically for Treasury Board. I would say that in at least that case, because we've had the opportunity to ask questions of the minister with respect to vote 40 under his own departmental estimates, and also had the opportunity, therefore, to ask him questions about initiatives under vote 40 that fall under Treasury Board, we probably don't need to call him again under this particular motion.

We may want to call him again in our study of the main estimates, notwithstanding the adjournment of debate on the motion, the study of the main estimates between now and June 10, effectively. That's not quite the wording of the motion, but the significance of the date of June 10 is that on June 10 the estimates are deemed referred back to the House whether we report on them or not. Not all government members on the committee may know that, but I'm sure their whip's office does.

I think that's why it's important that we spend some of that time between now and June 10 talking about the estimates. If we do, we may well want to call back the President of the Treasury Board as part of our study on the estimates. We may want to talk to him about the main estimates in general.

On the specific question of whether or not he needs to be called back on this motion to talk about the vote 40 items specifically for the Treasury Board, I think an argument could be made that it's not necessary. That's an argument I look forward to having after this motion passes. It's just a sign of how reasonable I think the opposition is being. Certainly the NDP is, but it could be that other opposition members on the committee are willing to indulge that argument as well, because they do care for the efficiency of our study process, after all.

I do want to say that. If members think that we're going to be calling back every minister who has already appeared at this committee, I would want to reassure them that it's not necessarily the case, because I do think a plausible argument could be mounted to the effect that the President of the Treasury Board does not have to come back specifically under this motion. As I say, having him come back for other reasons pertaining to the main estimates might be a very good idea.

I am concerned. It's in part why I raised the previous motion. I'm concerned that this committee—"Government Operations and Estimates" is in its name—do its due diligence and ensure a proper study of the estimates. I think the committee has to accept that it means doing certain things that are outside the norm because vote 40 is outside the norm. It makes sense when you have new initiatives. Also, it's new in two ways. It's new because the mechanism is new, but it's also new because we're operating under new standing order provisions. Not only are we being called upon to study vote 40, and not only are we being called upon to make assessments that I'm not sure this committee has ever really had to make before in that way, but we're also being asked to do it under a new regime.

I would remind members of the committee of what that new regime is. They're free to pull out their copy of the Standing Orders and consult it, of course. If they do, what they'll find is that normally the deadline for the main estimates to be tabled in the House was March 1. Every year, the estimates had to be tabled in the House by March 1.

Of course, as we've heard from the President of the Treasury Board, that did create some problems, because the budget usually didn't come out until the end of February. What it meant was that the people preparing the main estimates had no idea of what was going to be in the budget while they were preparing the estimates, so once the main estimates were presented, they didn't reflect any of the new budget priorities. There's been a lot of discussion in this Parliament and some negotiation between the parties on how to improve that process.

● (1220)

This is where I'm coming to how we're under a new process. In the course of those negotiations, one of the proposals was that an easy way to allow more time for those initiatives to be included in, I think we all believed, the main departmental estimates, was that we could delay that tabling date. It ended up being delayed about six weeks. Instead of March 1 being the deadline, it's April 16.

The idea was that the budget would be presented, and then the departments would know which of their proposed new budget initiatives...because we all know that departments have many ideas about what they would like to move forward with, and not everything makes it into the budget. Anybody who has worked in a government knows that.

To cut off any snarky comments, Mr. Chair, I would let you know that I have indeed worked in a government. Being from Manitoba where the NDP was in government for 17 years, I was an assistant to the minister of health. Anybody who has worked in a government will know, and even somebody who worked in a health ministry will know, you don't get everything you ask for.

Mr. Kelly McCauley (Edmonton West, CPC): If you try, sometimes you might find you get what you need.

Mr. Daniel Blaikie: There you go. We have a Rolling Stone on the committee. That's exciting news.

Once the budget comes out, then, and only then apparently...and I would say this is a reflection of the way that this particular government works. I don't mean this Liberal government. I mean the federal government here in Ottawa. There are governments where there is more collaboration between the Ministry of Finance and the Treasury Board approval process. Therefore, those departments also get a bit of a heads-up on what new budget initiatives will be approved. In those jurisdictions, you can actually secure the Treasury Board approval before the presentation of the budget.

It's kind of backwards, frankly, that here in Ottawa—and this is partly what the Parliamentary Budget Officer was referring to in his report—departments don't have any heads-up on which new budget initiatives that they've proposed are going to be approved until Canadians find out when the budget is read in the House. You can't tell me there's something so special about civil servants who work in the Department of Finance that they can take an oath of secrecy and government can trust them to keep that under wraps, but officials in other departments can't take the same oaths and be trusted not to share that information.

If we were another jurisdiction, if things weren't as they lamentably are, then those departments could get a heads-up about which budget items were approved. Treasury Board could get a heads-up. I mean we've heard from the President of the Treasury Board and his officials that they have very little heads-up. They say that it's better than it used to be, but they haven't really said it's good—not believably anyway. Again, the Parliamentary Budget Officer has made it clear that in his opinion it's not very good.

I think this strange vote as a means to try to secure the President of the Treasury Board's agenda, which I think is a laudable one in terms of its goals of better aligning the budget and the estimates, is proof positive that the requisite level of co-operation doesn't exist.

That was the idea. It was essentially to help out the President of the Treasury Board, who was making no progress with his colleague, the Minister of Finance, on getting better co-operation between the Department of Finance and the Treasury Board Secretariat. The idea was to have Parliament take the hit and have less time to study the estimates so that they didn't have to co-operate in advance of the budget, but they could do it the old way: present the budget, have departments find out, and then have a six-week period to get the initiatives through Treasury Board and into the main estimates.

Lo and behold, what we found out only days before the main estimates were tabled was that the government didn't do that. I have to say that I was kind of shocked at the gall of Treasury Board officials at committee, who said, "Well, yes, that was the idea, but you have to understand that Treasury Board only met twice between when the budget was presented and when the main estimates were presented because of the sitting schedule of the House."

That wasn't a mystery to them. That was negotiated a long time ago. You're telling me that Treasury Board can't call exceptional meetings, particularly if it's for the sake of helping the President of the Treasury Board achieve a good goal as part of his pet project to secure better alignment between the estimates and the budget document? Members of Parliament and cabinet ministers are not prohibited from being in Ottawa when the House doesn't sit. There was absolutely no reason why they couldn't have had more Treasury Board meetings, regular meetings of the Treasury Board, if it was an important government priority.

This is where I have some sympathy for the President of the Treasury Board. I think it's becoming abundantly clear that his priority of aligning the estimates and the budget, which is a good priority, is not a priority of government. I think, woefully for him, and perhaps for all of us, he has failed to convince his government colleagues of the virtue of having better alignment between those processes. The Minister of Finance, as an outsider I have to speculate, has dug in and isn't willing to co-operate with the President of the Treasury Board, and I guess has more status within the government than the President of the Treasury Board.

I mean, this is exactly where you would expect the Prime Minister to step in and say, "I understand that there are issues within the Department of Finance. I understand that historically you guys have had access to this privileged information. However, for the good of Parliament, for openness and accountability, for the sake of Canadians, I am telling you, as a new Prime Minister, you need to share that information. You need to do it appropriately. You need to do it in a way that safeguards that information from being inappropriately shared, but you need to do it, and you need to play nice in the sandbox. You need to make it so that by the time the main estimates are approved, a significant portion of the new budget initiatives have been through Treasury Board and they're in the main estimates."

● (1225)

Clearly, the President of the Treasury Board does not have the ear of the Prime Minister. If he did, it's perfectly within the purview of the Prime Minister to do that and to make that case, and unless the Prime Minister isn't taken seriously around the cabinet table, I think that would happen.

Instead, Parliament has been asked to make up for this lack of co-operation within government and for a lack of political will, which I don't attribute to the President of the Treasury Board but, clearly, to the rest of the government. I don't mean Liberal party members in Parliament, but the government, properly speaking—cabinet.

The Standing Orders were changed in order to have a later tabling of the estimates. Of course the obvious consequence of that is a shorter amount of time to study the estimates, which is why it's important that we have a thorough study. I'm so pleased to be able to speak to this important issue because the opportunities have been few and far between.

The trade-off for that shorter time, of course, was that those initiatives—not all of the new budget issues but many of them—would go through the Treasury Board approval process. In order to say nominally that he had managed to achieve perfect alignment between the budget and the main estimates, he would concoct—I'll change my word, Mr. Chair, because I don't want to sound overly pejorative—he would create a new mechanism for approving funding.

That's what we learned through the media, not because of a letter from the President of the Treasury Board, not because of a phone call or calling a meeting to have some discussion about how the President of the Treasury Board could move his project forward—maybe even with the assistance of opposition members if he couldn't get it from his colleagues in cabinet. He would take everything that was in the budget and consolidate it all under one vote in his own department because that's a little bit easier to do. You don't need the co-operation of the finance minister to do that. He's the President of the Treasury Board. It's the President of the Treasury Board who assembles the estimates and decides what form they're presented in.

This was something the President of the Treasury Board could do without buy-in from the rest of cabinet. I'm speculating, Mr. Chair, but I put it to you that this is the real reason we have vote 40. It's because the President of the Treasury Board wanted to move ahead with this project even though he couldn't get buy-in from his colleagues. The way to do that was to have a means by which, once the budget was announced, you could quickly take all of the items in the budget and dump them into the main estimates. Vote 40 is obviously a mechanism that allows you to do that because you don't really need to know what was in the budget in order to do what was done. You just need the table, a table that the Treasury Board knew already existed. They knew that they would get it a week or two before the budget was presented, and then all they would have to do is pop it into the main estimates under a new central vote.

I don't think this central vote is like other central votes for a number of reasons, and I hope to have occasion to present those arguments in the House. I won't provide any spoilers here at committee, but I think it's pretty clear that the real function of vote 40 is for the President of the Treasury Board to be able to move his project ahead without getting the buy-in of his fellow members and without needing a lot of foreknowledge of what was in the budget, because I think Treasury Board, kind of ridiculously, doesn't really have it.

Vote 40 serves that purpose, but it has done that at a terrible cost, because the way that vote 40 operates now is to ask Parliament to pre-approve all of that funding, before the departments for which it's being appropriated even know what they're going to do with the money. They've come up with some general budget numbers, but I think it has been clear, even at committee here. When pressed, they've been pretty clear.

The PCO was another example here at committee in which they were pressed on what they were going to do with the $750,000 for this year on an initiative to create a new.... It's not exactly clear what they're going to do. They may create a new commission for federal election debates, but they'll certainly create a new process. I think that's the rubric under which they're asking for that money. They said very clearly, "We don't know how we came up with that number. We're not really responsible for that. It's not really in our estimates. The program hasn't been developed. We couldn't tell you how many staff we're going to hire. We don't know if we're going to go across the country and do consultations in town halls and in community centres, or if we're going to do a social media consultation, or if we're going to rent a jet to do these consultations. Are we going to take a bus?"

● (1230)

All these things that go into coming up with that number we don't actually know.

We're in this really awkward position of having to evaluate funding without knowing, and not just evaluate it, but then approve it, and say..... That may be fine for government members who have great trust, but I would say even if you support the party that's in power, if you're familiar with how government works, there's a lot of stuff that can go wrong, and I don't think it's inappropriate at all. In fact, the opposite is true. Parliamentarians should be asking these kinds of questions when they're being asked to approve funding. I think that's one of the basic points of Parliament, even if you go all the way back to the Magna Carta, which sounds cheeky but it's not. The fundamental principle of that is that there would be no taxation without representation and that the king couldn't just decide to appropriate funds for any purpose at all. The idea of a Parliament was that there would be oversight by those who were being asked to give the money of the purposes the money would be used for.

One of the reasons we have opposition days and one of the reasons we present petitions in the House is that one of the principles was that parliamentarians, the crown, should have to hear people's grievances, that the crown should have to hear what people were upset about and what they wanted the king or queen to do differently before they approved the funds.

The principle of having debate and discussion and asking questions and pressing the crown before approving the money is a very long-standing principle of the parliamentary system that we have here in Canada, and it's one of the most important jobs that we do, regardless of what party you're from. It's literally what Parliament is all about. It's all about holding the crown to account for the money that it's raising from citizens and the purposes to which it puts that money.

What we're being asked to do with vote 40, if we don't pass this motion, which I think is not even.... We're still doing our best in a damaged process, but this motion is about at least having the opportunity to ask the ministers of the crown what they're planning to do in their new budget initiatives. Some of the answers so far have not been very compelling. Their answer is that they don't know, but I think it's incumbent upon us to at least ask other ministers in other departments. Maybe other ministers do have some plans for what they're going to do with the money. I think that would be good. I would be very reassured, frankly, to hear that other ministers at least have some plans about what they're going to do with the money, and they're not just asking for an upfront approval, because I think that really contravenes the principles of Parliament.

The President of the Treasury Board said as much early in this Parliament. Members may recall that one of the first things the government did was to come to the House with some supplementary estimates, and the reason they did that was that the previous government in the lead-up to the election—and I'm not imputing any motive here; it's just a fact—spent a lot of money out of the contingency fund. Maybe that was for good reasons, or maybe for bad. I don't know, but they did. So that $750-million contingency, which is the money that Parliament approves without any specific purpose in mind.... You know, a $750-million contingency fund is one thing; a $7-billion omnibus vote for every new budget initiative is another.

In any event, that money was spent. The President of the Treasury Board came back to Parliament, rightfully I think—and there are legitimate concerns about the contingency vote and how it's used and whether it's appropriate or not—for the supplementary estimates to replenish the contingency fund. The reason he gave for doing that was that he wanted to be open and he wanted to be transparent, and he didn't think it made sense to be either spending more money out of the contingency fund, because there was some left, or to be using special warrants to secure funding, which we don't have to get into—and I hear a sigh of relief, perhaps—but which is another way of the government securing funding on an emergent basis. I do hear one member.... I'll refer him to the appropriate chapter of the *House of Commons Procedure and Practice* and I'm sure he'll rush to it.

● (1235)

They didn't use those tools because the President of the Treasury Board said at the time that he wanted to be open and transparent, and he wanted to make sure that Parliament gave proper oversight. As I've said many times already today, I don't dispute the motives of the President of the Treasury Board. I think he's on to a good thing in his intent, but I think he's come up with something now that unfortunately seriously undermines some of the basic principles of Parliament because he couldn't get buy-in from the government. For as much as I have sympathy for him and for his project, it is not acceptable to ask Parliament to surrender its fundamental role of scrutinizing public spending because the President of the Treasury Board couldn't get buy-in from his colleagues. That's wrong.

That's the situation we're in. Given the situation we're in, that means we have to be able to ask those questions in the appropriate way. The only way we can do that is by having the appropriate ministers come before this committee to speak to the items they have in vote 40.

It's not the only committee I've been on where this is the case, where government members are fond of adjourning debates. I would put to you, Mr. Chair, that this is not a debate to adjourn by any means because it's an important one. If we don't get to the point where we can call these ministers.... We are the only committee that's charged with the responsibility of reporting back on the main estimates as a whole, and the committee that's charged with reporting back on the votes under the Treasury Board department, so in this case we have a double obligation, both with respect to the general estimates and with respect to our role to study the Treasury Board vote. If we don't do that, if we don't have a proper study...and we heard again from the Speaker on Friday and Monday that the estimates are before committee and that committee is the place for debate. Then let's have it, Mr. Chair.

I would urge that after we pass this motion, we rush as quickly as we can to resume debate on the previous motion that was just adjourned because that would give us the time to have this full study and to have appropriate debate. Based on some of what I quoted earlier, members will now know, both from previous Speaker's rulings and from *House of Commons Procedure and Practice* that there is no way we're going to have this debate in the House. It doesn't work like that.

I respect that not every member is an expert on the business of supply. I didn't know a heck of a lot about it until recently, but as you may be able to tell, I spent some time in the last little while doing some extensive reading. It is quite fascinating. You learn a lot about Parliament, its functions, our role. It's alarming to learn that in the context of main estimates that contain a vote like vote 40, because what you see is that, I think not necessarily even maliciously, we are on the cusp of cementing a new mechanism that fundamentally undermines the role of Parliament.

I know that sometimes bad things can happen, even with people who have the best of intentions, either because they're nervous about admitting they don't quite understand what's at stake or exactly how it works, or because they don't want to offend their friends. When you represent 60,000, 70,000, 80,000 people, you have an obligation to try to rise above those feelings and make decisions in the best interests of the people you represent and in the best interests of the country. I humbly submit to you, Mr. Chair, and to the members of this committee, that approving vote 40 is not the way to do that and that we will be making a serious mistake, and we may allow the government to set a precedent that's abused in the future.

There was a similar central vote, vote 35, in the Parliament of 2008-09. I think it was the 40th Parliament, if memory serves. The thing that was different about that vote.... If members were to refer to the wording of that vote they would know that vote set a limit on when the money could be spent. It wasn't a general approval for the entire year. The money had to be spent between a certain day in April 2009 and a certain day in June 2009.

● (1240)

The reason for that was that the vote was developed in response to an urgent economic need. That need was acknowledged not only by the government. In fact, arguably, the government of the day was the most reluctant to admit that there was a need for economic stimulus. The opposition parties were calling on the government to get money out the door quickly and to make a quick, focused investment in the Canadian economy—particularly with respect to infrastructure—to make sure that the fallout from the 2008 economic crisis didn't hit Canada the way it was hitting other countries across the world.

There were very strict conditions on that. That timeline was very important. That timeline meant that only projects that were already approved and ready to go, projects that had been through Treasury Board.... This wasn't for projects that hadn't been to Treasury Board yet. This was for projects that had been approved, were shovel-ready, and good to go. That's very different.

To ask parliamentarians to approve a fund on those initiatives is very different from asking parliamentarians to approve a speculative fund for projects that are not ready to go—a fund that lasts the entire year so departments can kind of get around to it when they feel like it. This was, "Anything you have that's ready to go, let's go." Let's get it out the door in this very specific, time-limited period, to accomplish a specific function, which is to stimulate the economy. If you don't use it by the end of June, you'll lose it. That's very different from what vote 40 is asking.

I submit to you, Mr. Chair, that if you consult the record you'll find a debate on vote 35, which I recently had occasion to read. The government was very specific about vote 35 being time-limited and responding to an urgent need. If you read the comments of opposition members, you'll find that they, too, were very specific about vote 35 being time-limited and responding to an urgent need.

The idea that somehow vote 35 would act as a precedent for vote 40, I think, is completely wrong and misguided. It fails to recognize that vote 35 had a very specific purpose. It wasn't something that the government was doing over and against Parliament. They weren't using their majority to ram it through. It was a minority Parliament, in fact. By definition, they had to have the support of at least some opposition members, or the vote would have failed and it would have precipitated an election, because it's an item of supply.

These are very different circumstances. You're talking about a vote with very clear criteria on what it's needed for. You're talking about at least a bipartisan, if not multipartisan, consensus in the House, and the support of opposition parties. That's a big difference. You're not talking about one committee having to survey all of the new budget initiatives, because that's not what the vote was for. The vote was for projects that were already approved and ready to go. That's a big difference, I think.

If you were sitting on this committee in 2009—some members may have been, I don't know—you would not have been in the position of having to call every minister in order to scrutinize that vote, because you would have known that vote is actually only for projects that have already been approved here in Ottawa, and through the federal government's Treasury Board process, and also provincially. I'm sure there were a number of provincial projects that benefited from some of that funding. It would have been through a second layer of approval at that point.

I believe that the Treasury Board approval process adds value to what we do. It's important to government as well, because it's a rigorous costing.

The report of the Auditor General came out today on Phoenix. I don't want to prejudge anything that we're going to say or do in meetings to come, but one of the lines that stood out in that report was that at no point was there any written authorization for proceeding with Phoenix. Nobody wrote it down. Nobody said, "I'm the one. I'm saying it's good to go." That raises a lot of issues.

What the Treasury Board approval process is for.... I'm not saying it works in every case. Clearly, it didn't work in the case of Phoenix. I presume there was a Treasury Board approval for that at some point. What I'm trying to get at is that if people are going to do their jobs and be accountable for the programs they implement, then at some point you have to have a moment in the process where they can ask those rigorous questions. Not just ask the high-level principle questions, but get into the details.

● (1245)

Treasury Board is the place where ministers can do that. That's where cabinet does its due diligence on that.

We also benefit from that work being done. They need to do that before they come to us because we need to be able to ask those questions of them, too. Vote 40 circumvents that process. It means that they haven't done their due diligence yet. It means that we don't have the opportunity to evaluate, first of all, whether they've even done their due diligence, and second, whether they've done it properly.

I think vote 40 represents a failure at more than one level in terms of everybody doing their job of providing adequate scrutiny for the estimates. What we know is that if it hasn't been through Treasury Board, cabinet hasn't done its due diligence yet. We hear from the President of the Treasury Board that they will. That's great, but I would be a lot more comfortable if they came to me after they had done it. That's normal.

I think it's really important, at this point, to say that, with regard to what I'm talking about here, I'm not asking for some special treatment. I'm not asking for Parliament to do what it's never done before. I'm not asking for government to jump through hoops that it doesn't jump through. All I'm asking is for it to do what it has always done, which is to go through that normal approval process at Treasury Board and then come to us so that everybody in the chain of accountability has the opportunity to ask the real questions.

I'm not saying that members always avail themselves of the opportunity to bring real questions, but they're accountable for that. If they ask ridiculous questions, or if they spend their time spouting off when they have a minister at committee, that's their lost opportunity. It's on the record for everybody to see. People can go back and see if their MP did a good job; if, when the minister was at committee, their MP asked the real questions. Whether MPs actually ask the right questions or not doesn't matter. It's their opportunity to do that good accountability work. If they don't do it, then people can judge them on the basis of whether they did it or not.

That's why I think it's no small thing. I don't think it can just be passed off as, "Oh well, we haven't gone through Treasury Board; we haven't done the proper approvals yet." That's just not okay.

I have an interesting quote here, which I suppose I'll share, although I caution the committee that I haven't read it yet.

● (1250)

Mr. Kyle Peterson: How do you know it's interesting?

Mr. Daniel Blaikie: It's from a member of Parliament at the time. On March 6, 2009, Mrs. Mendès was the Liberal MP for Brossard—La Prairie.

Mrs. Alexandra Mendès (Brossard—Saint-Lambert, Lib.): I knew it.

Mr. Daniel Blaikie: She said, "Mr. Speaker, the Conservatives are asking Parliament to give them a blank cheque worth $3 billion under the pretext of the immediate need for economic stimulus during the crisis." Fair enough. I do think that the Liberals supported that vote ultimately, but it wasn't a blank cheque as far as the Liberals were concerned, because it was time limited and because it was responding to an urgent need. I think that's really the main point about vote 35, that it was time limited and it was urgent.

But I'd come back to the point that I was making, which is that, if people are going to do the job of accountability, I think—not wanting to prejudge what we're going to hear from the Auditor General—what we're going to hear is that it was an accountability fiasco, and I don't think that's news to anybody at the table, but I think that is going to be further impressed upon us, given the content of his report that I've had occasion to view so far.

I don't want that to be true of Parliament. I don't want to create an accountability crisis in Parliament where MPs aren't able to do the due diligence so that later, when it comes out that some of the $7 billion wasn't spent properly, nobody's even going to be able to say, "They didn't spend it according to the plan", because there was no plan.

How do you hold the government and Parliament accountable for spending that it does if you authorize the expenditure without a plan? How much time do we spend studying departmental plans? How many times have you heard members at this table ask, whether they're asking government or even in our studies sometimes when we have people from the private sector here, "Okay, what is your plan? How does your plan work? How do you make sure that you're meeting your plan? How do you evaluate whether the goals of your strategic plan are in line with the activity that you're undertaking?" Those are the kinds of questions that we ask, but here we're being asked to approve all this money, and we don't even know if the government has a plan, let alone what it is. We haven't even heard from the various ministers who are going to get money under this vote. Some who we have heard from suggest that they don't have a plan. Maybe others do. We don't know.

I think it's incumbent upon a committee that's charged with studying the main estimates and the Treasury Board vote estimates, which are huge this year.... I mean, it is kind of interesting, for those who have a graphic mind, to see in the graph the spike in money that the Treasury Board is responsible for. It's misleading, because the Treasury Board in some way isn't really responsible for that money, I guess, but they're the ones asking for it. Then it's going to be other departments that develop proposals for it.

Essentially, what you have is what parliaments were developed to work against, which is the total prerogative of the crown. Essentially, you're saying, "Go ahead; raise the money you want", and then the king or queen just decides what it is they're going to do with that money after the fact. That goes against what Parliaments were founded to do, which was to make sure that those people who were supplying funds to the crown had an idea of what it was being used for and offered their approval for that. I just don't see a way that happens in vote 40, where we can be said to have done that.

What's frustrating, I guess, is that we've heard under Treasury Board vote 40.... Some of the items have gone through Treasury Board, right? There's the 221 million dollars' worth of initiatives that has been allocated. Those have had Treasury Board approval. What I find baffling is that those wouldn't have appeared in the main departmental estimates, then. I don't understand why those have to be in Treasury Board vote 40.

They say it's so that the numbers match between the budget and the estimates, but clearly, there's a way that they could have published a table that said.... In fact, they kind of did. They published a table that said, "Here are all the budget initiatives. Here are the ones that are allocated. Here are the ones that aren't." They could have done that and still had the items appear in the main departmental estimates. All it would have taken was a footnote for the table.

● (1255)

The Chair: I'm sorry, Dan, to interrupt. At the risk of offending you and your dissertation, I want to go over a couple of things prior to one o'clock only because I have another set of people coming to see me at one o'clock upstairs so I would like to get there.

The reason I'm interjecting on this one is to let you know that what I would like to do at the start of the next meeting is to try to go in camera for a brief period of time and look at scheduling for the last few meetings we have. As you know, we still have the draft report. We probably have at least one, maybe one and a half meetings to deal with the draft report, and I would like to get that tabled before we all rise for the summer. We also have the estimates process. There's the imposed deadline of June 10.

There are a couple of things we may have to do to juggle the schedule a bit. More primarily, our next meeting is scheduled for Thursday and that's with the Auditor General.

I want to make sure we have enough time at least to go over the scheduling of future meetings. I don't think there's anyone here that would suggest we not meet with the Auditor General. That's the challenge we have. I want to bring that to your attention. We will see if we can deal with that expeditiously at the start of the next meeting.

Mr. Blaikie, sorry for the interruption. It's back to you, but I will be adjourning in about three minutes.

Mr. Daniel Blaikie: Thank you very much.

This is the thing. What I do find baffling, if you will, is that those allocated items, those ones that have already been to Treasury Board, and through Treasury Board, and got Treasury Board approval, could very readily have been put in the main departmental estimates.

For the other ones, they didn't have to be in the main estimates. The government normally, which they didn't do this year because all their new budget initiatives are in the mains.... Normally we would also, in tandem, be considering the supplementary estimates that would have been tabled a little bit after the budget. That would have had all the new budget initiatives the government could fit in before the beginning of the summer.

There was already a process that ensured the government could fund the budget initiatives that are approved. The only thing vote 40 really accomplishes is funding initiatives that aren't already approved. There is a mechanism. In fact, if the government wanted, they could still present supplementary estimates for all the things that have been to Treasury Board since the tabling of the main estimates. It's why when we had senior officials from Treasury Board I asked how many items had been through Treasury Board since the tabling of the mains, because if he had given us a list—that's too much to hope for I suppose—then the obvious reply there would have been all of those things could be brought in supplementary estimates and passed before the end of June. The main estimates aren't going to get passed before the end of June anyway or thereabouts, so the supplementary estimates could be passed at the same time.

The Chair: Once again, sorry for the interjection, but colleagues, as I said, I will be adjourning.

I do want to point out to you again that we do have other members —

Mr. Daniel Blaikie: I was hoping we would have a vote.

The Chair: —on the speakers list. Just for your edification, following Mr. Blaikie, we have Mr. McCauley, Madam Ratansi, and Mr. Peterson in that order. However, the next meeting is scheduled to meet with the Auditor General.

With your approval, when we do meet on May 31, that's this Thursday coming, we will not be continuing debate on Mr. Blaikie's motion, if I have your consensus on that. After we deal with a bit of committee business at the start of the meeting, we'll be going directly to the testimony of the Auditor General.

Thank you all for that. I appreciate that.

The meeting is adjourned.

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